

IN THE MUNICIPAL COURT OF APPEALS
OF THE CITY OF EL PASO, TEXAS

GEORGE STANLEY

Appellant,

vs.

STATE OF TEXAS,

Appellee.

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No. 03-MCA-2908

OPINION

Appellant appeals his conviction in Municipal Court for unlawfully walking along a roadway when sidewalks were provided adjacent to the roadway. A fine of \$200.00 was assessed.

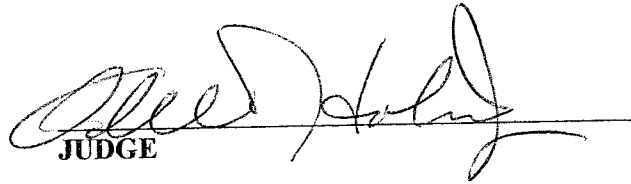
In two (2) lengthy and somewhat difficult Briefs to decipher, Appellant initially contends that his fine of \$200.00 was excessive because the Bond for this offense was much less. As this court has previously held, as long as the fine is within the jurisdictional limits of the court and is authorized by law, it can be assessed regardless of what amount might be provided for if Appellant had chose to pay his fine rather than contest it. Clearly, the fine of \$200.00 was authorized by law, and Appellant's first point of error is overruled.

Secondly, Appellant appears to contend that he was charged under El Paso Ordinance 5.24.190 prohibiting solicitations from occupants of motor vehicles stopped on a public roadway. The complaint in this case does not charge Appellant of that offense but rather a violation of Section 552.006 of the Texas Transportation Code which provides "a pedestrian may not walk along and on a roadway if an adjacent sidewalk is provided and is accessible to the pedestrian".

That is the offense that Appellant was charged with and convicted of, and make most of his arguments in his Brief irrelevant because they do not involve a solicitation of contributions from vehicles under the aforementioned charitable solicitation ordinance.

Having found no reversible error, the judgment of the Trial Court is affirmed.

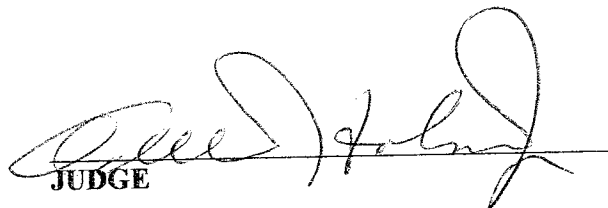
SIGNED this 27 day of Oct, 2004.


JUDGE

J U D G M E N T

This case came on to be heard on the Transcript of the Record of the Court below, the same being considered, it is ORDERED, ADJUDGED and DECREED by the Court that the Judgment be in all things affirmed, and that the Appellant pay all costs in this behalf expended, and that this decision be certified below for observance.

SIGNED this 27 day of Oct, 2004.


JUDGE